

## State Water Resources Control Board

July 6, 2016

(Via email and Certified Mail)  
**CERTIFIED MAIL**  
**NO. 7015 1520 0001 8019 7061**

Mr. Keith Marian  
Fleet Superintendent  
City of Orange  
189 Water Street  
Orange, California 92866  
[kmarian@cityoforange.org](mailto:kmarian@cityoforange.org)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT CITY OF ORANGE WATER DEPARTMENT, 1130 EAST  
ALMOND AVENUE, ORANGE**

Dear Mr. Marian:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on June 9, 2016, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and title 23, California Code of Regulations (CCR), chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Maintain Site Map</b> – The site map is insufficient; it does not include location of piping.	All	June 9, 2016	Ongoing	23 CCR 2711(a)(8)
2	<b>Failure to Maintain Operating Permit</b> – The permit to operate expired March 31, 2016, and a current permit has not been posted at the facility.	All	June 9, 2016	Ongoing	23 CCR 2712(i)
3	<b>Failure to Maintain Financial Responsibility On-Site</b> – A Certificate of Financial Responsibility must be maintained on-site with your insurance policy information.	All	June 9, 2016	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11), 2712(i)
4	<b>Failure to Maintain Spill Containment Requirements</b> – The spill bucket had built up dirt and debris in it which prevents its ability to hold five gallons.	Unleaded	June 9, 2016	Ongoing	23 CCR 2635(b)(1)

No.	Violation	Tank	Start Date	Stop Date	Regulation
5	<b>Failure to Monitor Product Piping</b> – The sensor in the diesel dispenser was unable to detect a leak at the earliest opportunity because it was resting on an electrical cord. This violation was corrected at the time of inspection.	Diesel	June 9, 2016	June 9, 2016	23 CCR 2630(d)
6	<b>Failure to Monitor Product Piping</b> – The testing boot was left on the supply line in the diesel sump preventing interstitial monitoring of the supply line. This violation was corrected at the time of inspection.	Diesel	June 9, 2016	June 9, 2016	23 CCR 2630(d)
7	<b>Failure to Monitor Product Piping</b> – The sensor in the unleaded dispenser was unable to detect a leak at the earliest opportunity because it was raised. This violation was corrected at the time of inspection.	Unleaded	June 9, 2016	June 9, 2016	23 CCR 2630(d)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and City of Orange Fire Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

Ms. Rebecca Green  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
1001 I Street, 16<sup>th</sup> Floor  
Sacramento, California 95814  
[rebecca.green@waterboards.ca.gov](mailto:rebecca.green@waterboards.ca.gov)

**Local CUPA**

Ms. Rosie Flores  
Hazardous Materials Specialist  
Fire Prevention  
City of Orange Fire Department  
176 South Grand Street  
Orange, California 92866  
[rflores@cityoforange.org](mailto:rflores@cityoforange.org)

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,



Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: See next page.

cc: *(via email only)*

Captain Casey Fieldhouse  
Orange City Fire Department  
[cfieldhouse@cityoforange.org](mailto:cfieldhouse@cityoforange.org)

Ms. Rosie Flores  
Hazardous Materials Specialist  
Fire Prevention  
City of Orange Fire Department  
[rflores@cityoforange.org](mailto:rflores@cityoforange.org)

Mr. Thang Nguyen  
Hazardous Materials Specialist  
Fire Prevention  
City of Orange Fire Department  
[tnguyen@cityoforange.org](mailto:tnguyen@cityoforange.org)

Mr. Dwight Gish  
Fleet Supervisor  
City of Orange  
[dgish@cityoforange.org](mailto:dgish@cityoforange.org)

Mr. Tony Jones  
Environmental Technician  
Orange County Tank Testing  
[tonyjonesracing@gmail.com](mailto:tonyjonesracing@gmail.com)